

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

TANYA CAMPBELL, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Case No. CIV-23-00067-JD
)	
CARL “ANDY” RHODES, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

Plaintiffs filed this civil rights complaint on January 20, 2023. [Doc. No. 1]. Plaintiffs also filed a Motion for Leave to Proceed Without Prepaying Fees or Costs (“Motion”) [Doc. No. 2]. The Court referred this action to United States Magistrate Judge Suzanne Mitchell consistent with 28 U.S.C. § 636(b)(1)(B) and (C). [Doc. No. 3].

On January 24, 2023, Judge Mitchell ordered Plaintiffs to supplement their Motion by February 13, 2023. [Doc. No. 4]. Plaintiffs never responded.

Judge Mitchell then issued the Report and Recommendation [Doc. No. 5] on February 28, 2023, recommending that the Court deny the Motion. Judge Mitchell further recommended that Plaintiffs be ordered to pay the full filing fees within twenty-one days of any order adopting the Report and Recommendation, and that if Plaintiffs fail to do so, their action be dismissed without prejudice to refiling. Judge Mitchell advised Plaintiffs of their right to file an objection to the Report and Recommendation with the Clerk of Court by March 21, 2023, and that failure to timely object to the Report and Recommendation waives the right to appellate review of both factual and legal issues

contained in the Report and Recommendation. [Doc. No. 5 at 4]. *See also* 28 U.S.C. § 636. The record reflects that Plaintiffs did not file an objection to the Report and Recommendation by the deadline or request an extension of time to do so.

The Court therefore **ADOPTS** the Report and Recommendation [Doc. No. 5] in its entirety for the reasons stated therein. The Court **DENIES** Plaintiffs' Motion for Leave to Proceed Without Prepaying Fees or Costs [Doc. No. 2], and **ORDERS** Plaintiffs to pay the full filing fees of \$402.00 to the Clerk of Court within 21 days of this Order or by **April 24, 2023**, or this action will be dismissed without prejudice without further warning.

IT IS SO ORDERED this 3rd day of April 2023.



JODI W. DISHMAN
UNITED STATES DISTRICT JUDGE